

**Robert A. Shlachter**, OSB No. 911718  
Email: rshlachter@stollberne.com  
**Keil M. Mueller**, OSB No. 085535  
Email: kmueller@stollberne.com  
STOLL STOLL BERNE LOKTING & SHLACHTER P.C.  
209 S.W. Oak Street, Fifth Floor  
Portland, Oregon 97204  
Telephone: (503) 227-1600  
Facsimile: (503) 227-6840

**James Juo** (Admitted *pro hac vice*)  
Email: jjuo@fulpat.com  
FULWIDER PATTON LLP  
Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696

**Attorneys for Defendant Wai Lana Productions, LLC**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
DIVISION OF PORTLAND

GOLDEN TEMPLE OF OREGON, LLC,  
an Oregon limited liability company,

Case No. 3:09-CV-902-KI

Plaintiff,  
v.  
WAI LANA PRODUCTIONS, LLC,  
a California limited liability company,

Defendant.

**DECLARATION OF JAMES JUO  
IN SUPPORT OF DEFENDANT  
WAI LANA PRODUCTIONS, LLC'S  
OPPOSITION TO PLAINTIFF'S  
MOTION TO DISMISS UNDER RULE  
12(B)(6)**

WAI LANA PRODUCTIONS, LLC, a  
California limited liability company,

Counterclaim/Interpleader-plaintiff,

v.

GOLDEN TEMPLE OF OREGON, LLC,  
an Oregon limited liability company,

Counterclaim/Interpleader-defendant

---

WAI LANA PRODUCTIONS, LLC, a  
California limited liability company,

Cross-claim/Interpleader-plaintiff,

v.

BIBIJI INDERJIT KAUR PURI, an  
individual,

Cross-Claim/Interpleader-defendant.

I, James Juo, do hereby declare as follows:

1. I am an attorney with the law firm of Fulwider Patton LLP, and I am duly licensed to practice law in the state of California. I represent Defendant Wai Lana Productions, LLC in the above-identified matter. Unless otherwise indicated, I have personal knowledge of the facts stated herein, and, if called as a witness, could and would testify to the following matters.

2. On July 30, 2010, Tiffany Scott, counsel for Plaintiff Golden Temple of Oregon, LLC, contacted me for a meet-and-confer regarding Plaintiff's proposed motion to dismiss two of Wai Lana's counterclaims under Rule 12(b)(6). While discussing Wai Lana's counterclaim for cancellation of U.S. Registration No. 1,980,514 for the YOGI TEA trademark ("the YOGI TEA Registration"), I identified Paragraph 19 of Wai Lana's Counterclaim which cites 15 U.S.C. § 1052(a) and states that the YOGI TEA Registration should be cancelled for falsely suggesting a

**PAGE 1 - DECLARATION OF JAMES JUO IN SUPPORT OF DEFENDANT WAI LANA PRODUCTIONS, LLC'S OPPOSITION TO PLAINTIFF'S MOTION TO DISMISS UNDER RULE 12(B)(6)**

connection with Yogi Bhajan. Plaintiff's motion to dismiss was filed later that day, but did not address Counterclaim Paragraph 19 or 15 U.S.C. § 1052(a).

3. Attached as Exhibit A is a copy of the complaint, with attached exhibits, filed in the U.S. District Court for the Central District of California in connection with *Bibiji Inderjit Kaur Puri v. Golden Temple of Oregon, LLC*, No. 10-882 JFW.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: August 16, 2010

/s/ James Juo  
James Juo

**PAGE 2 - DECLARATION OF JAMES JUO IN SUPPORT OF DEFENDANT WAI LANA PRODUCTIONS, LLC'S OPPOSITION TO PLAINTIFF'S MOTION TO DISMISS UNDER RULE 12(B)(6)**

STOLL STOLL BERNE LOKTING & SHLACHTER P.C.  
209 S.W. OAK STREET  
PORTLAND, OREGON 97204  
TEL. (503) 227-1600 FAX (503) 227-6840

1 Surjit P. Soni (State Bar No. 127419)  
2 M. Danton Richardson (State Bar No. 141709)  
3 Leo E. Lundberg, Jr. (State Bar No. 125951)  
4 THE SONI LAW FIRM  
5 35-North-Lake-Ave., Suite 720  
6 Pasadena, California 91101  
7 (626) 683-7600 Telephone  
8 (626) 683-1199 Fax

9  
10 SURJ@SONILAW.COM  
11 DANTON@SONILAW.COM  
12 LEO@SONILAW.COM

13 Attorneys for Plaintiff,  
14 BIBIJI INDERJIT KAUR PURI

15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

BIBIJI INDERJIT KAUR PURI, an  
individual,

Plaintiff,

vs.  
GOLDEN TEMPLE OF OREGON, LLC, an  
Oregon Limited Liability  
Corporation; DOES 1 through 10,

Defendants.

) CASE NO.: C10-882 JFW (USA)  
)  
) COMPLAINT FOR:  
) 1. FEDERAL STATUTORY AND COMMON  
) LAW TRADEMARK INFRINGEMENT  
) (15 U.S.C. §1051 et seq.);  
) 2. FALSE DESIGNATION OF  
) ORIGIN (15 U.S.C. §1125(a));  
) 3. VIOLATION OF SECTION 43(a)  
) OF THE LANHAM ACT;  
) 4. UNFAIR COMPETITION;  
) 5. UNFAIR TRADE PRACTICES (Cal.  
) Bus. and Prof. Code § 17200  
) et seq.);  
) 6. IMPOSITION OF CONSTRUCTIVE  
) TRUST;  
) 7. DECLARATORY RELIEF;  
) 8. ASSIGNMENT OF TRADEMARK  
) APPLICATIONS AND  
) REGISTRATIONS TO ALL "YOGI"  
) AND "YOGI TEA" MARKS;  
) 9. CANCELLATION OF REGISTERED  
) MARKS; AND  
) 10. DETERMINATION THAT DEFENDANT  
) HAS NO RIGHT TO REGISTER  
) (15 U.S.C. §1119)

DEMAND FOR JURY TRIAL

COMPLAINT

1 Plaintiff, BIBIJI INDERJIT KAUR PURI, files this Complaint for  
2 federal and common law trademark infringement, false designation of  
3 origin, unfair competition, unfair trade practices, constructive  
4 trust, for a judgement that Defendant, GOLDEN TEMPLE of OREGON,  
5 LLC, does not own and has no right use or to register the "YOGI,"  
6 "YOGI TEA" or any related or confusingly similar trademarks and for  
7 an order compelling assignment of all such applications and  
8 registrations to Plaintiff and other beneficiaries of the Yogi  
9 Bhajan and Inderjit Kaur Puri Joint Living Trust, or their  
10 cancellation, as follows:

11 **Jurisdiction and Venue**

12 1. The Court has subject matter jurisdiction over the claims  
13 herein pursuant to 15 U.S.C. §1121, and 28 U.S.C. §1338(a), in that  
14 all federal counts arise under the Trademark Laws of the United  
15 States, 15 U.S.C. §1051 et seq. This Court has subject matter  
16 jurisdiction over the state law counts under 28 U.S.C. §§ 1338(b)  
17 and 1337(a) for state law claims that arise from the same facts and  
18 circumstances as the federal claims upon which original  
19 jurisdiction is based.

20 2. Plaintiff is informed and believes and thereon alleges  
21 that venue is also proper in this Court under 28 U.S.C.  
22 §13391(b)(2), in that a substantial part of the events or omissions  
23 giving rise to the claim occurred in this District and Defendant  
24 maintains a place of business in this District.

25 **The Parties**

26 3. Plaintiff BIBIJI INDERJIT KAUR PURI ("Plaintiff" or  
27 "BIBIJI") is an individual residing in Los Angeles, California.

28 //

---

COMPLAINT

1       4. BIBIJI is informed and believes and thereon alleges that  
2 Defendant GOLDEN TEMPLE OF OREGON, LLC ("Defendant" or "GTO") is an  
3 Oregon Limited Liability corporation with a principal place of  
4 business located at 2545 Prairie Road, Eugene, OR 97402. GTO also  
5 maintains a place of business in this District.

6       5. Defendants, DOES 1 through 10, inclusive, are sued herein  
7 under fictitious names. Their true names and capacities are  
8 unknown to Plaintiff. Plaintiff will amend this Complaint when  
9 their true names and capacities are ascertained. Plaintiff is  
10 informed and believes and thereon alleges that each of the  
11 fictitiously named Defendant are responsible in some manner for the  
12 occurrences herein alleged, and that Plaintiff's damages as herein  
13 alleged were proximately caused by each such Defendant.

14 6. Plaintiff is informed and believes and on that basis  
15 alleges, that at all times herein mentioned, all Defendants herein,  
16 whether named or fictitiously designated (hereinafter collectively  
17 referred to as "Defendants"), were the agents, servants, employees,  
18 joint venturers, and/or the alter egos of the remaining Defendants,  
19 and the acts of each Defendant were within the course and scope of  
20 their agency, service, employment, and with permission, consent,  
21 and ratification of each other Defendant.

## Factual Background Yogi Bhajan

24 7. Yogi Bhajan was a charismatic spiritual leader and  
25 successful entrepreneur who introduced Kundalini Yoga and Sikhism  
26 to the United States. He was born Harbhajan Singh in what is now  
27 Pakistan to a family of healers and community leaders. He studied  
28 comparative religion and Vedic philosophy as an undergraduate and

**COMPLAINT**

1 went on to receive his Masters in Economics with honors from Punjab  
2 University. He also earned a Ph.D. in communications psychology  
3 from the University of Humanistic Studies in San Francisco.

4       8. Yogi Bhajan was a Master of Kundalini Yoga by the age of  
5 16. In the late 1960s, he immigrated from India to Canada, and  
6 then to the United States, in order to realize his vision of  
7 bringing Kundalini Yoga to the West. He began by teaching  
8 workshops, sharing the ancient wisdom of Ayurveda and healthy  
9 living that he learned in India. Ayurveda is a system of  
10 traditional medicine native to the India, which focuses on the use  
11 of natural herbs, massage and yoga for healing and healthy living.

12      9. In response to the drug culture of the 60s, Yogi reached  
13 out to youth and taught them the peaceful, inner euphoria they  
14 could get naturally from Kundalini Yoga. As a result, young people  
15 began flocking to his classes, arriving in busloads. Yogi Bhajan  
16 created a family, known as 3HO (Healthy, Happy, Holy Organization)  
17 and soon 3HO teaching centers began springing up throughout the  
18 United States and across the world, growing to over 300 centers in  
19 35 countries. 3HO was founded on Yogi Bhajan's premise that every  
20 human possessed the birthright to be healthy, happy and holy.

21      10. Yogi Bhajan grew to be internationally known as a  
22 religious, community and business leader with a distinguished  
23 reputation as a man of peace, world-vision, wisdom, and compassion.  
24 In 1971, he was designated the Siri Singh Sahib, or the Sikh leader  
25 in the Western Hemisphere. As the Siri Singh Sahib, he discussed  
26 inter-religious dialogue with Pope John Paul II and also worked  
27 side-by-side with the Archbishop of Canterbury and the Dalai Lama  
28 to foster world peace.

---

COMPLAINT

1 11. Yogi Bhajan wrote and published over 30 books on topics  
2 ranging from consciousness and spirituality to communication and  
3 psychology. He also founded several companies, including Defendant  
4 GTO, to manufacture and distribute natural products based on his  
5 teachings. Yogi Bhajan and his teachings have received extensive  
6 media coverage and are well known throughout the United States and  
7 the world.

8        12. Yogi Bhajan passed away on October 6, 2004 at the age of  
9        75.

Yogi Tea

11        13. Beginning around 1969, after his classes, Yogi Bhajan  
12 would serve his students a special spiced tea he developed based  
13 upon the healing principles of Ayurveda, which his students began  
14 affectionately calling "Yogi Tea," referring to the tea that he,  
15 Yogi Bhajan had developed.

16        14. In or around 1984, with Yogi Bhajan's encouragement and  
17 assistance, some of his students formed a company to market and  
18 sell this "Yogi Tea." Yogi Bhajan granted the company, which was  
19 originally known as the Yogi Tea Company, a license to use his name  
20 and likeness and the trademark "Yogi Tea" to market teas based on  
21 formulas developed by Yogi Bhajan.

22        15. Defendant GTO is a successor to the Yogi Tea Company and,  
23 in turn, also licensed the right to use Yogi Bhajan's name and  
24 likeness, including the "Yogi" and "Yogi Tea" marks (collectively  
25 referred to as the "YOGI MARKS"). Since at least as early as 1998,  
26 GTO used Yogi Bhajan's image on its packaging, its websites and  
27 sales and marketing materials heralding that the "Yogi behind Yogi  
28 Tea is Yogi Bhajan...." Attached hereto as Exhibit "A" is a true

---

## COMPLAINT

---

1 and correct copy of "archive" pages from the "yogitea.com" website  
2 from 1998 and thereafter reflecting such uses and acknowledging the  
3 origins of "Yogi Tea."

4 16. The license provides that GTO is authorized by virtue of  
5 the license to use Yogi Bhajan's image and sayings and his name and  
6 all names or terms by which he is known (collectively referred to  
7 as the "Licensed marks") in connection with the sales of certain  
8 goods, including teas. The Licensed marks include "Yogi Tea."

9 17. The License was renewed and extended repeatedly until it  
10 was replaced with a new license in 2004 with a term of 75 years  
11 providing the same scope of license to use the Licensed Marks.

12 18. At the end of 2008, GTO announced it had ceased use of  
13 Yogi Bhajan's name and likeness. GTO claimed to have terminated  
14 the license and ceased paying royalties due under the License.  
15 Consequently, GTO no longer has any right to use the Licensed  
16 Marks, including the "Yogi Tea" mark.

17 19. In fact, GTO continued to use the "Yogi Tea" Licensed  
18 Mark, and still uses it today without authorization from the owners  
19 of the mark. GTO has also expanded the use of the Yogi mark to  
20 cereals without authority or compensation to the owners of the  
21 mark. This action concerns all infringing conduct post  
22 termination.

23 20. Yogi Bhajan and his wife, Plaintiff BIBIJI, created a  
24 joint living trust which thereafter owned and controlled the  
25 trademark rights and other intellectual property of Yogi Bhajan.  
26 After Yogi Bhajan's death, this trust was terminated with BIBIJI  
27 receiving her fifty percent (50%) interest in and to the trust  
28 //

---

COMPLAINT

1 assets, including the trademarks and other intellectual property  
2 rights related to Yogi Bhajan.

3

4 **COUNT I**  
5 **FEDERAL STATUTORY AND**  
6 **COMMON LAW TRADEMARK INFRINGEMENT**

7 21. BIBIJI hereby realleges, as if fully set forth, the  
8 allegations of paragraphs 1 through 20, inclusive.

9 22. Upon information and belief, Defendants are now  
10 committing the illegal activities alleged above, have indicated  
their intention to and will continue to do them.

11 23. Defendants recklessly and/or with actual knowledge of  
12 BIBIJI's rights continues to market and sell products using the  
13 YOGI trademarks and trade dress belonging to BIBIJI.

14 24. As a direct and proximate result of Defendants' illegal  
15 activities, BIBIJI has suffered serious damage and unless  
16 Defendants are restrained from continuing their wrongful acts, the  
17 damage to BIBIJI, which is irreparable, will increase.

18 25. The aforesaid acts of Defendants constitute trademark  
19 infringement in violation of BIBIJI's rights at common law and  
20 under the Federal Lanham Act.

21 26. BIBIJI has no adequate remedy at law.

22

23 **COUNT II**  
24 **FALSE DESIGNATION OF ORIGIN**  
(15 U.S.C. §1125(a))

25 27. BIBIJI hereby realleges, as if fully set forth, the  
26 allegations of paragraphs 1 through 26, inclusive.

27 28. Plaintiff is informed and believes, and based thereon  
28 alleges, that Defendant's acts alleged above have constituted a

---

COMPLAINT

1 false designation and description as to the origin, quality, and  
2 characteristics of Defendant's goods and/or services to be sold and  
3 performed under the YOGI MARKS.

4       29. Upon information and belief, Defendant's use, and the  
5 continuation of such use, of the YOGI MARKS has and will further  
6 damage Plaintiff's trademark and its exclusive association with  
7 Plaintiff, will harm Plaintiff's reputation, and will damage  
8 Plaintiff's goodwill.

9       30. Defendant's past and intended acts constitute false  
10 designations and/or descriptions of origin in violation of  
11 Plaintiff's rights under Section 1125(a) of Title 15 of the U.S.  
12 Code (also referred to as Section 43(a) of the Lanham Act).

13       31. Upon information and belief, unless Defendant is  
14 immediately restrained from undertaking these wrongful acts, the  
15 damage to Plaintiff, which is irreparable, will increase.

16 32. Plaintiff has no adequate remedy at law.

COUNT III  
VIOLATION OF SECTION 43 (a) OF THE LANHAM ACT

20       33. BIBIJI hereby realleges, as if fully set forth, the  
21 allegations of paragraphs 1 through 32, inclusive.

22       34. Defendants' acts alleged above constitute a false  
23 designation and description as to the origin, quality, and  
24 characteristics of Defendants' goods and services to be sold and  
25 performed under the designation.

26       35. Upon information and belief, Defendants acted recklessly  
27 and/or with actual and/or constructive knowledge of BIBIJI's

11

---

**COMPLAINT**

---

1 trademark rights and with knowledge that Defendants' acts  
2 constitute a false designation and description as alleged above.

3 Defendants' acts constitute false designations and/or  
4 descriptions of origin in violation of BIBIJI's rights under  
5 Section 1125(a) of the Trademark Act of 1946 (Section 43(a) of the  
6 Lanham Act; 15 U.S.C. § 1051, et. seq.)

7 37. Unless Defendants are immediately restrained from  
8 continuing its wrongful acts, the damage to BIBIJI, which is  
9 irreparable, will increase.

10 38. BIBIJI has no adequate remedy at law.

11

12 **COUNT IV**  
13 **UNFAIR COMPETITION**

14 39. Plaintiff repeats, as if fully set forth herein, the  
15 allegations set forth in paragraphs 1 through 38.

16 40. Upon information and belief, Defendant has committed acts  
17 of unfair competition and has traded upon Plaintiff's valuable  
18 goodwill in violation of the common law of the State of California.  
19 Upon information and belief, Defendant has been unjustly enriched  
20 by its acts of unfair competition.

21 41. Upon information and belief, Defendant has intentionally  
22 misappropriated the commercial value of Plaintiff's trademark, has  
23 unlawfully acted to damage the source-identifying quality of  
24 Plaintiff's trademarks, and has created circumstances which  
25 adversely affect the value of Plaintiff's goodwill and reputation.

26 42. Plaintiff is informed and believes, and thereupon  
27 alleges, that the acts alleged above were willful, fraudulent,  
28 malicious and oppressive and were undertaken with the intent to

---

COMPLAINT

1 harm BIBIJI, or were done with reckless disregard of BIBIJI's  
2 rights, and justify the awarding of punitive damages so as to set  
3 an example and to deter others from engaging in such conduct.

4 43. Plaintiff has suffered, is suffering, and will continue  
5 to suffer irreparable injury for which Plaintiff has no adequate  
6 remedy at law.

7

8 COUNT V  
9 UNFAIR TRADE PRACTICES  
9 (Cal. Bus. and Prof. Code §17200 et seq.)

10 44. Plaintiff repeats, as if fully set forth herein, the  
11 allegations set forth in paragraphs 1 through 43.

12 45. Upon information and belief, Defendant has engaged in  
13 acts of statutory unfair competition as defined in California  
14 Business and Professions Code Section 17200, including unfair and  
15 fraudulent business practices.

16 46. Plaintiff is entitled to an injunction under California  
17 Business and Professions Code Section 17203 enjoining Defendant  
18 from engaging in its unlawful acts, and restoration of any money or  
19 property which Defendant acquired through its acts of unfair  
20 competition.

21 47. BIBIJI and the public have no adequate remedy at law and  
22 therefore ask that GTO be enjoined from such false advertising.

23

24 COUNT VI  
25 IMPOSITION OF CONSTRUCTIVE TRUST  
25 (California Civil Code § 2224)

26 48. BIBIJI hereby realleges, as if fully set forth, the  
27 allegations of paragraphs 1 through 47, inclusive.

28 //

---

COMPLAINT

1       49. By reason of the wrongful acts of GTO as set forth above,  
2 GTO is an involuntary trustee of all rights and good will  
3 associated with the YOGI MARKS, together with all income or funds  
4 received by GTO from its wrongful acts.

5        50. GTO should be required to turn over all such income or  
6 funds unlawfully obtained.

COUNT VII  
DECLARATORY RELIEF

10       51. BIBIJI hereby realleges, as if fully set forth, the  
11 allegations of paragraphs 1 through 50, inclusive.

12 52. An actual controversy exists between BIBIJI and  
13 Defendants in that Defendants contend that they own and/or control  
14 the exclusive right to use the YOGI MARKS in relation to teas and  
15 cereals, and other unspecified products as well, whereas BIBIJI  
16 contends that she owns the YOGI MARKS.

17 53. A justiciable controversy exists concerning whether  
18 Defendants or BIBIBJI owns and controls the YOGI MARKS.

19       54. BIBIJI requests that the Court issue a judgment declaring  
20 that BIBIJI is the owner of the YOGI MARKS and that Defendants have  
21 no right to advertise, offer for sell or sell any products or  
22 services using the YOGI MARKS, or any mark confusingly similar  
23 thereto, and that Defendants shall assign to BIBIJI all rights,  
24 title and interest to any marks, registered or otherwise, acquired  
25 under license from BIBIJI's predecessor in interest, Yogi Bhajan.

26 //

27 //

28 //

---

## COMPLAINT

---

1 COUNT VIII  
2 ASSIGNMENT OF TRADEMARK APPLICATIONS AND REGISTRATIONS  
3 TO ALL YOGI MARKS

4 55. Plaintiff repeats, as if fully set forth herein, the  
5 allegations set forth in paragraphs 1 through 54.

6 56. Defendant has applied in the U.S. Patent and Trademark  
7 Office ("USPTO") to register the YOGI trademark in International  
8 Class 30 for "Granola; granola snacks; granola based snack bars;  
9 ready to eat, cereal-derived food bars." See Exhibit "B."  
10 Defendant's application is an "intent to use" application, which  
11 acknowledges that Defendant had not yet used the mark as of the  
12 filing date of December 9, 2009, long after the public came to  
13 associate the YOGI mark with YOGI BHAJAN.

14 57. Defendant has also applied in the USPTO to register the  
15 YOGI trademark in International Class 30 for "processed cereal-  
16 based food to be used as a breakfast food, snack food, or  
17 ingredient for making other foods." See Exhibit "C." Defendant's  
18 application is an "intent to use" application, which acknowledges  
19 that Defendant had not yet used the mark as of the filing date of  
20 December 18, 2009, long after the public came to associate the YOGI  
mark with YOGI BHAJAN.

21 58. Defendant has also applied in the USPTO to register the  
22 YOGI trademark in International Class 30 for "Tea and ready-to-  
23 drink tea." See Exhibit "D." Defendant's application declares  
24 that Defendant first used the YOGI mark in commerce on such goods  
25 on December 26, 2008, long after the public came to associate the  
26 YOGI mark with YOGI BHAJAN.

27 59. Defendant also applied in the USPTO and obtained  
28 registration of the YOGI TEA trademark in International Class 30

---

COMPLAINT

1 for "Tea." Exhibit "E." Such registration issued on May 27, 2008  
2 as Registration No. 3435101. The registration declares that  
3 Defendant first used the YOGI TEA mark in commerce was on tea on  
4 April 9, 2007, long after the public came to associate the YOGI  
5 mark with YOGI BHAJAN.

6 60. Defendant (or Defendant's predecessor) also applied to  
7 the USPTO and obtained registration of the YOGI TEA trademark in  
8 International Class 30 for "Tea." Exhibit "F." Such registration  
9 issued on June 18, 1996, as Registration No. 1980514. The  
10 registration declares that Defendant first used the YOGI TEA mark  
11 in commerce on tea on March 8, 1983, long after the public came to  
12 associate the YOGI mark with YOGI BHAJAN.

13 61. As set forth above, Defendant has no right to use the  
14 YOGI MARKS or any marks confusingly similar thereto. Nonetheless,  
15 Defendant has filed the foregoing applications to register the YOGI  
16 MARKS, and has wrongfully obtained registrations for the YOGI TEA  
17 mark.

18 62. Based on Defendant's wrongful registration of the YOGI  
19 TEA trademark and applications to register the YOGI MARKS as set  
20 forth above, this Court should order immediate assignment of such  
21 registrations and applications to their rightful owner, Plaintiff,  
22 the successor in interest to Yogi Bhajan.

23  
24 COUNT IX  
25 DETERMINATION THAT DEFENDANT HAS NO RIGHT TO REGISTER  
26 (15 U.S.C. §1119)

27 63. Plaintiff repeats, as if fully set forth herein, the  
28 allegations set forth in paragraphs 1 through 62.

//

---

COMPLAINT

1       64. As set forth above, Defendant has no right to use the  
2 YOGI MARKS or any marks confusingly similar thereto. Nonetheless,  
3 Defendant has filed applications to register the YOGI MARKS.

4       65. The YOGI MARKS Defendant's applications seeks to register  
5 is identical in sight, sound and meaning as the YOGI MARKS as used  
6 by and associated with YOGI BHajan.

7        66. Plaintiff will be irreparably damaged if Defendant is  
8 permitted to obtain a registration for the foregoing YOGI MARKS.

9       67. This Court should issue an order directing the USPTO to  
10 refuse registration of the YOGI trademarks sought by Defendant on  
11 either the primary or supplemental register of the USPTO pursuant  
12 to 15 U.S.C. §1119.

COUNT X  
CANCELLATION OF REGISTERED MARK  
(15 U.S.C. §1119)

16       68. Plaintiff repeats, as if fully set forth herein, the  
17 allegations set forth in paragraphs 1 through 67.

18        69. Defendant has no right to use the YOGI MARKS or any marks  
19 confusingly similar thereto. Defendant has obtained registrations  
20 the YOGI MARKS which are identical in sight, sound and meaning as  
21 the YOGI MARKS as used by and associated with YOGI BHajan.

22       70. Plaintiff will be irreparably damaged if Defendant is  
23 permitted to maintain the registrations for the foregoing YOGI TEA  
24 MARKS.

25       71. This Court should issue an order directing the USPTO to  
26 cancel Defendant's registrations for YOGI TEA, and any other YOGI  
27 MARKS.

28 //

---

**COMPLAINT**

1 PRAYER FOR RELIEF

2 Wherefore, BIBIJI prays:

3 1. That Defendants be found liable to Plaintiff for Defendants'  
4 infringement of Plaintiff's YOGI MARKS.

5 2. That this Court issue an injunction prohibiting Defendants,  
6 and all persons in active concert with Defendants, from  
7 infringing Plaintiff's YOGI trademark by the use of YOGI MARKS  
8 or any confusingly similar names or designations.

9 3. That this Court award Plaintiff up to treble damages against  
10 Defendants in view of its willful conduct.

11 4. That this Court award punitive and exemplary damages against  
12 Defendants and in favor of Plaintiff.

13 5. That Plaintiff be awarded an amount to be determined for  
14 corrective advertising to allow for the recapture of the  
15 source-identifying function of Plaintiff's marks and trade  
16 dress.

17 6. That Defendants, their directors, and officers, agents,  
18 servants, employees and all other persons in active concert or  
19 privity or in participation with them, be enjoined from making  
20 and disseminating the false and misleading statements as set  
21 forth herein or otherwise committing any acts of unfair  
22 competition.

23 7. Directing Defendants to pay to Plaintiff all gains, profits,  
24 and advantages, and to turn over all trademark, trade dress  
25 and other rights, derived by Defendants from the aforesaid  
26 unfair trade practices, unfair competition and violations of  
27 Cal Civil Code § 2224.

28 //

---

COMPLAINT

- 1 8. Directing restitutionary damages for Defendants' violations of
- 2 Cal. Bus. & Prof. Code §17200 et. seq., including the
- 3 appointment of a Receiver, if necessary.
- 4 9. That this Court order immediate assignment of Defendant's
- 5 registrations for YOGI TEA and applications to register YOGI,
- 6 and any other YOGI MARKS to their rightful owner, Plaintiff,
- 7 the successor in interest to Yogi Bhajan.
- 8 10. That this Court issue an order directing the USPTO to refuse
- 9 registration of the YOGI trademarks sought by Defendant on
- 10 either the primary or supplemental register of the USPTO
- 11 pursuant to 15 U.S.C. §1119.
- 12 11. That this Court issue an order directing the USPTO to cancel
- 13 Defendant's registrations for YOGI TEA, and
- 14 12. That costs of this action be awarded Plaintiff.
- 15 13. That Plaintiff be awarded both prejudgment and post-judgment
- 16 interest on each and every damage award.
- 17 14. That this Court determine that this is an exceptional case and
- 18 that Plaintiff be awarded its reasonable attorney fees.
- 19 15. That this Court grant such other and further relief as it
- 20 shall deem just and proper.

21 Dated: February 5, 2010 THE SONI LAW FIRM

22 23 By: 

24 25 26 27 28  
Surjit P. Soni  
M. Danton Richardson  
Attorneys for Plaintiff,  
BIBIJI INDERJIT KAUR PURI

COMPLAINT

DEMAND FOR JURY TRIAL

Plaintiff BIBIJI hereby demands a jury trial in the above-entitled action.

Dated: February 5, 2010 THE SONI LAW FIRM

By: Surjit P. Soni  
M. Danton Richardson  
Attorneys for Plaintiff,  
BIBIJI INDERJIT KAUR PURI

---

**COMPLAINT**

**FACSIMILE TRANSMISSION**

February 4, 2010

RECIPIENT/COMPANY	TELEPHONE	FAXNUMBER
Surjit P. Soni THE SONI LAW FIRM	626.683.7600	626.683.1199

FROM: Alan Kossoff

RE: Soni Law Firm, et al. v. Marilyn Monroe LLC

FILE NO.: 10306-00002

PAGES: 2 (including cover page)

ORIGINAL: Will Not be Sent

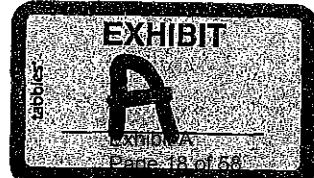
MESSAGE:

10306.00002/50263.1

If You Do Not Receive All Pages, Please Call 310.566.9814

**CONFIDENTIALITY NOTICE**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS. THANK YOU.





Alan Kossoff  
 Direct Dial: (310) 566-9805  
 Direct Fax: (310) 566-9875  
 E-Mail: [akossoff@kwikalaw.com](mailto:akossoff@kwikalaw.com)  
 File Number: 10306-00002

February 4, 2010

**VIA FACSIMILE (626.683.1199)**

Surjit P. Soni  
 THE SONI LAW FIRM  
 35 North Lake Avenue, Suite 720  
 Pasadena, CA 91101

Re: Soni Law Firm, et al. v. Marilyn Monroe LLC; Case No. BS124333

Dear Mr. Soni:

I am writing to confirm our telephone conversation yesterday. As I informed you, it does not appear that Marilyn Monroe LLC was properly served with the complaint in the above matter. Please provide us with a copy of the proof of service.

In addition, this will confirm that even though it appears that Marilyn Monroe LLC was not properly served with process, I stated that I would agree to accept service and respond to the complaint if you provided a 15-day extension. You refused to do so.

Accordingly, please provide us with a copy of the proof of service so we can determine if service was proper and any other deadlines.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Al Kossoff'.

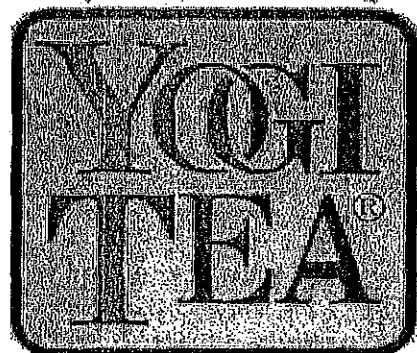
Alan Kossoff

AK/bdp

cc: Howard Weitzman

10306-00002/50262.1

808 Wilshire Boulevard, 3rd Floor, Santa Monica, California 90401 | Telephone: 310.566.9800 | Fax 310.566.9850 | Website: [www.kwikalaw.com](http://www.kwikalaw.com)



12/02/1998  
yogicca.com  
The Way Back  
Machine

The Yogi Tea Company manufactures delicious beverage teas and medicinal herbal teas known as Ancient Healing Formulas, all based on the Ayurvedic Tradition from India.

Please browse this site to find out more about our extensive lines of herbal teas.



*Click on either of these two icons to view more about these lines of herbal teas.*



© Copyright 1998 The Yogi Tea Company

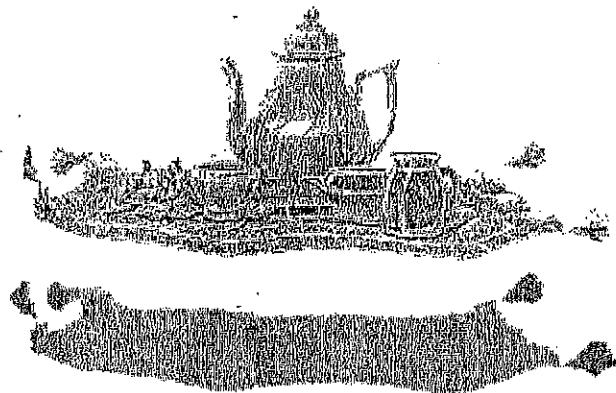
Revised: November 17, 1998



*Presents:*



**YOGI TEA**~six unique flavors delicately balanced to lift your spirit while it soothes your body and soul. Start with the rich memory of vanilla and let it transport you to an azure-sky day fading into evening on the shores of a tropical sea. This is the inspiration of YOGI TEA. Then consider the lingering spiciness of cinnamon, and envision its origins within the mysterious valleys of the tranquil Himalayas. It's here~captured in our all-natural herbal blends, made with the finest ingredients from around the world.



**Tahitian Vanilla** ~ When the brave sea captains found the lush, tropical islands of the South Seas, they also discovered the world's most fragrant, flavorful vanilla beans. We blend this Tahitian Vanilla with treasured spiced for a tea with unmatched richness and the smooth taste of a tropical

paradise.

- Increases circulation
- Regulates menstruation
- Enhance digestion
- Decreases gas
- Adrenal builder
- Anti-inflammatory
- Soothe digestive membranes



**Egyptian Licorice** ~ The great kings of Egypt treasured the "magical" licorice root for its natural sweetness, deep rich flavor and healthful properties. No licorice treat is more delicious or satisfying than our Egyptian Licorice Tea, a blend of selected herbs, spices and natural flavorings from Egypt and around the globe.

- Soothe digestive membranes
- Anti-inflammatory
- Enhance digestion
- Decreases nausea
- Increases circulation
- Release sinus congestion



**Hazelnut Cream** ~ From the cafés of Italy come the rich, nutty flavors of our Hazelnut Cream Tea. Its blend of fine hazelnut cream and aromatic spices will transport you to that Italian café with its wonderful desserts, joining Europe's most enthusiastic lovers of luscious food and drink.

- Increases circulation
- Soothe digestive membranes
- Anti-inflammatory
- Liver detox/protector
- Hormone balance



**Cinnamon Spice** ~ In ancient India, sweet, aromatic cinnamon, spicy ginger root, fragrant cardamom, delicate black pepper and fine tea leaves graced te warm valleys and Himalayan hills. Our original Cinnamon Spice Tea blends these herbs and spices, imported from all over the globe in a uniquely invigorating brew.

- Increases circulation
- Decreases joint stiffness
- Enhance digestion
- Liver detox, protector
- Decreases gas, decreases nausea



**Maple Royale** ~ In the early spring, the northern woods are scented with fragrant steam from the maple sugar houses. We've captured this sweet, distinctive taste of real maple in our Maple Royale Tea. Fine cinnamon and cardamom are combined with pure maple for a delicious royal blend.

- Increases circulation
- Liver detox/protector
- Joint stiffness
- Respiratory tonic
- Decongest respiratory



**Mango Passion** ~ Mango and Passion Fruit have delighted palates with their sweet, heavenly flavor since India first recorded its passion for mangoes 4,000 years ago. Our Mango Passion Tea combines the finest natural flavors and essences with subtle herbs and spices to create a taste and aroma even the gods could not resist.

- Increases circulation
- Tonify uterus

- Antioxidant
- Anti-inflammatory
- Diabetes
- Respiratory tonic
- Enhance digestion

Nature has truly been kind to us, providing the wonderful herbs and spices for my Yogi Tea formulations, based on the traditions of ancient India and Ayurveda. Since I was young, I have taught about improving life with the right foods, herbs and the exercises of yoga.

Now these benefits are deliciously available to you in Yogi Tea.

It's my pleasure to create these teas for you; enjoy them  
as a gift from nature and from me.

## ***Yogi Bhajan***

The Ayurvedic Institute - Yoga Center - The Herbal Laboratory -  
Contact by E-mail - Yogi Tea - Ancient Healing Formulas - Food For Thought - Yogi  
Bhajan Home Page

C. S. 207708.3  
Bogota, Colombia  
Tel: +57 1 322 0000  
Fax: +57 1 322 0001  
Yogi Bhajan  
Gurdit Singh Khalsa  
Dr. Gurdev Singh Khalsa  
International Intermedia  
International  
Khalsa Yoga  
Khalsa Yoga Center  
Yoga Institute  
Yogi Bhajan  
Gurdit Singh Khalsa  
Gurdev Singh Khalsa  
Gurdev Singh Khalsa  
Gurdev Singh Khalsa  
Yogi Bhajan

# The Yogi Behind Yogi Tea

**Yogi Bhajan** was born in what is now Pakistan, to a family of healers, and community leaders. At age seven he began to study with the great yogis, healers and Ayurvedic masters of the region and eventually became a master of these ancient practices himself. He graduated from Punjab

University in 1952 with a Master's degree in Economics. In 1953 he married Bibiji Inderjit Kaur, and together they have raised three children. He went on to work as an officer in the service of the Indian Government until 1967.

In 1968 Yogi Bhajan began to teach the science and technology of Kundalini Yoga, Ayurveda, meditation, and healthy living in America. He established the 3HO (Healthy, Happy, Holy Organization) Foundation in 1969. This non-profit foundation promotes happiness, health, and union with the soul as the birthright of every human being. Today 3HO is a world-wide association of people with over 300 centers in 38 countries. The 3HO Foundation is a Non-Government Organization (NGO) in Consultative Status (Roster) with the Economic and Social Council of the United Nations.

In 1980 Yogi Bhajan earned his Ph.D. in

Psychology. He spends much of his time counseling people from all walks of life. He lectures and teaches extensively on the topics of health, healing, relationships, and spirituality.

He also serves as the Siri Singh Sahib, Chief Religious Authority for the Sikhs of the Western Hemisphere. As an ambassador of inter-religious dialogue, he is the Co-President of the Human Unity Conference and works with religious leaders and organizations world-wide.

Yogi Bhajan has also authored over 30 publications on varied topics including religion, spirituality, business, health, and psychology. He has been affectionately called the "Father of the Woodstock Nation." He hosts several camps and events each summer in his home state of New Mexico, including International Peace Prayer Day. He is a significant contributor to the political and economic welfare of the region and has been a trusted personal advisor to every New Mexico Governor since 1970.

In the early 70's Yogi Bhajan encouraged his students to start businesses like Yogi Tea to make products which could help people live healthier and happier lives. Today that vision has become KIIT. Yogi Bhajan is a good and trusted advisor to us, and to all. His favorite saying is, "If you cannot see God in all, you cannot see God at all."



For more about Yogi Bhajan follow this link.

---

[Home Page](#) • [History](#) • [Yogi Teas](#) • [Ancient Healing Formulas](#) •  
[Newsletter](#) • [Ingredients](#) • [International](#) • [Organics](#)  
[Feedback](#) • [Yoga](#) • [Yogi Bhajan](#) • [Resources](#) • [Other Products](#) •  
[KIIT](#) • [Ayurveda](#) • [Where to Buy](#) • [What's New](#)

---

© Copyright 1998 The Yogi Tea Company

Revised: November 17, 1998

Digitized by srujanika@gmail.com

WegThe farm boy  
He likes a different life  
WegThey  
at start they farm to  
now we need more better  
logistics to be more  
efficient  
inland logistics  
good logistics  
Weg like on the  
Weg's job  
'better logistics work  
better fast job  
better life' (Gespräch  
Gern woh)



# The History of Yogi Tea

In 1969, Yogi Bhajan came to the United States and began teaching Kundalini Yoga. His lectures and courses covered not only yoga and meditation, but also the ancient science of Ayurveda that uses nutrition, herbs, and other arts to keep the body, mind and spirit healthy. After each class, Yogi Bhajan would serve an aromatic spice tea to his students, which they affectionately named "Yogi Tea." In time, this uniquely-flavored tea was served in the Golden Temple Vegetarian Restaurants that sprouted in the US and Europe during the early 70's.

Yogi Tea became a hit with the customers because of its delicious taste and tonic-like affects. In response to such a positive demand, the Golden Temple Restaurants began to package and sell the tea to local natural food stores. This grass roots endeavor blossomed into the Yogi Tea Company.

## Illustration of Yogi Tea Spices

By 1986, we had developed three flavors of Yogi Tea which commanded a strong

following in both the United States and Europe. In 1988, we introduced the first four Ancient Healing Formula teas. Created by Yogi Bhajan and his team of Ayurvedic experts, this line used highly

specialized herbal formulas to maintain and support the vitality and health of the body. Currently, the Yogi Tea line of beverage teas has six flavored varieties, including the original recipe. In addition, we produce and distribute over 30 Ancient Healing Formula Teas to meet a variety of health needs..

## Organic Ingredients

In 1991, we joined with our sister company, Yogi Tea of Europe, to develop sources of organic ingredients for our teas. However, we had no idea of the challenge that lie in wait. Reliable, abundant, and quality sources of organic herbs and spices were impossible to find. In the spirit of self-reliance, we looked into creating a supply on our own. Seven years later, through a cooperative effort between non-profit organizations, indigenous peoples and Yogi Botanicals (our sister nutraceutical company), herbs and spices are being cultivated in sustainable, socially-positive communities across the world. Tribal farmers trained in organic techniques provide our company with spices like lemon grass and black peppers. One of our most successful cooperatives thrives in the rainforest of Sumatra, Indonesia. There, local farmers cultivate organic Cassia Cinnamon using methods that support the local environment, not decimate it.

Organic farming offers a number of benefits to consumers, farmers, and the environment. Organic techniques rely on the environment's natural cycles to replenish the richness of the soil. Since rich soil

yields strong, pest-resistant crops, farmers do not need chemical fertilizers and pesticides. This creates a healthy work environment for the farmers. These techniques also maintain topsoil integrity, reduce the amount of chemical run-off into lakes, streams and ground water, and (most important) provide the consumer with food that is all-natural and chemical-free.

It gives us a great deal of joy and satisfaction to know that in bringing you, the customer, quality organic ingredients, we are also helping indigenous communities maintain their economic independence.

## Where We're Going

The Yogi Tea Company is reported to be the fastest growing tea company in the 14 billion dollar a year Natural Foods Industry (SPINS, 1997). Over 5000 natural food stores in America, Canada, Europe, Africa, Asia, Russia and Australia feature our Yogi Teas and Ancient Healing Formula teas. We are committed to continuing our 25-year tradition of providing our customers with the highest quality Ayurvedic teas, and look forward to introducing more delicious, health-conscious products in the future.

The Yogi Tea Company is a member of the family of companies that comprise Khalsa International Industries and Trades (KIIT). For over 25 years, these companies have applied conscious values and principles in business. Through shared systems, management, marketing and strategies, we are working to pioneer a legacy of quality services,

products and mutual excellence.

---

[Home Page](#) • [History](#) • [Yogi Teas](#) • [Ancient Healing Formulas](#) •  
[Newsletter](#) • [Ingredients](#) • [International](#) • [Organics](#)  
[Feedback](#) • [Yoga](#) • [Yogi Bhajan](#) • [Resources](#) • [Other Products](#) •  
[KIIT](#) • [Ayurveda](#) • [Where to Buy](#) • [What's New](#)

---

© Copyright 1998 The Yogi Tea Company

Revised: November 17, 1998

7/18/04  
yogitea.com  
The Wayback  
Machine

## YOGI'S NEWS

**New Woman's Healing Formulas**  
Carefully formulated organic teas for the special needs of a woman's body, more

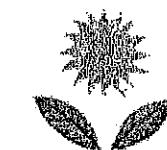
**Innovative Website**  
Discover our interactive website features, more



**Cooling Summer Recipes**  
Stay cool and healthy with these delicious treats, more



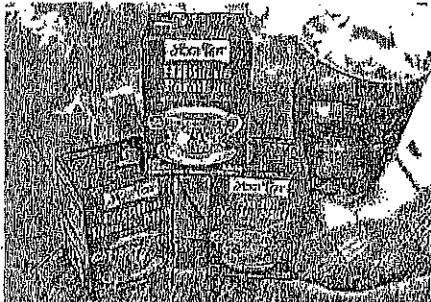
**Increase mental alertness with Maté**  
A South American traditional healing herb does it all, more



**Sun Safety**  
Enjoy the healthy rays of the sun but remember not to overdo a good thing!, more

## Greet the Summer with an Exotic Experience

Let our exotic teas take you on a journey down the golden sunlit Nile, across the endless green plains of Argentina or along the tropical beaches of Hawaii. Enjoy the sweet licorice refreshment of Egyptian Licorice Mint, savor the unique smoky flavor of Andes Yerba Maté or delight in the strawberry-citrus accented Hibiscus Paradise. Cool off with one of our iced exotic blends and don't forget to offer them at summer gatherings!



### Find The Appropriate Healing Formulas!

Try our easy to use Find-Your-Tea to choose the best Healing Formulas for your needs. Select a category and your health concern, and our herbal masters will suggest soothing solutions.



**Glorious Hibiscus**  
Gorgeous and brightly colored, the hibiscus flower is a glorious inhabitant of the tropical islands of the South Pacific and many other areas of the world. A native of southern China, the

original wild hibiscus was a lovely small pink flower. The Chinese royal court was delighted with this special bloom and cultivated many unique colorful varieties, more

### Blog: The Teas

**Hawaiian Luau**  
Celebrate summer with a luau and learn more about this ancient Hawaiian tradition at <http://web.archive.org/web/20040708054438/http://www.hawaii-luau.com/>.

### Natural Nutty Candy Bar

Discover a delicious candy bar, smothered in caramel and wrapped in outrageous

### Blog: Yogi's Kitchen

Which of the statements about vegetarian diets is false?

- Vegetarian diets can be very high in cholesterol.
- Vegetarian diets don't contain enough protein.
- Vegetarian diets are low in fat.
- In general, vegetarian diets are

### Blog: Yogi's Kitchen





stripes at  
<http://web.archive.org/web/20040708054438/http://www.whaguruchew.com/>

healthier.



*Increase Mental Acuity*

Keep yourself focused and alert through the busy hours of your day with this simple 3 minute meditation. more

**Sounds of Yogi Tea**  
Let the gentle sounds of peace renew your spirit with this beautiful CD from Yogi Tea. more

Your body is the temple of God. Your soul is the spirit of God. Your mind is the flow of God. -Yogi Bhajan



### **Yogi Tea Philosophy**

**Create yogically inspired quality herbal teas that balance and heal.**

**Support the health and future of the planet by using organic ingredients and recycled materials.**

**Share the knowledge with our customers and inspire them to become healthier and happier.**

**Develop a conscious working atmosphere** where each individual can develop his or her creative potential in order to enhance the prosperity of the company and achieve personal fulfillment and satisfaction.

### **About Us**

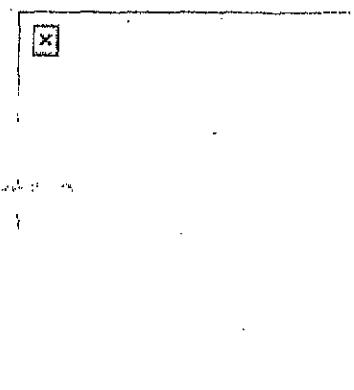
As you may have guessed, there really is a "yogi" behind Yogi Tea. In 1969 Yogi Bhajan began teaching Kundalini Yoga in America, sharing the ancient wisdom of Ayurveda and healthy living that he had mastered in India. After each class he would serve his students a special spice tea based upon this healing science, which they affectionately named **Yogi Tea**.



Yogi Bhajan, the "yogi" behind Yogi Tea

Soon, Yogi Bhajan's students opened **Golden Temple Vegetarian Restaurants** in the US, Canada, and Europe. The delicious, rich and spicy aroma of Yogi Tea brewing permeated the environment and every customer who enjoyed the tea wanted to make their own cup of Yogi Tea at home. Through these Golden Temple restaurants, the first batches of Yogi Tea were sold to the public. In 1984 this grassroots endeavor blossomed into **The Yogi Tea Company** and Yogi Tea began to appear on Natural Foods Store shelves throughout the country.

Yogi Bhajan taught that businesses based on respect for the divinity in all beings could lead to real and lasting change. Developing work environments that focused on the growth of each individual's potential as much as on production of goods and profits would create a radical and meaningful shift in the notion of "work." Under his guidance, small businesses began to take root along with Yogi Tea, Golden Temple (bulk granolas), Peace Cereal (packaged cereals), Wha

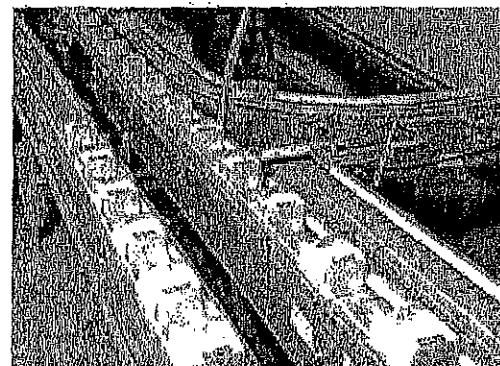


Yogi Tea's first 6 Exotic Teas

the highest quality and best tasting teas we could.

Our teas have continued to evolve, meeting the ever-changing needs of the customer. Today Yogi Tea makes a rich beverage line of 9 **Exotic Teas** from all over the world that include the original spice formula, now called **Classic India Spice**. Our line of **Healing Formulas** has been expanded to 30 specialized blends to effectively answer a wide range of specific healing need, with 5 **Woman's Healing Formulas** specially created for female comfort and relief. Our 3 **Simply Green Teas** and 6 **Green Tea Healing Formulas** offer the healthful qualities of green tea in a non-bitter blend of the finest organic green teas. Our 2 **Tea Latte** concentrates in aseptic packs are as convenient as they are delicious. Finally, a line of 3 **Organic Chais** gives our customers the chance to taste the authentic enchanting flavors of India and the Far East. With more than 40 teas to choose from, Yogi Tea has a tea for every need and every season.

Organic Ingredients, Ayurvedic wisdom and modern knowledge are incorporated into every product we develop at our own modern manufacturing facility in Eugene, Oregon. We are committed to applying our yogic lifestyle to our businesses, honoring diversity and the need for individuals to grow in social and spiritual ways. Yogi Tea along with our sister companies, Golden Temple, Peace Cereal, Wha Guru Chew, Sunshine Spa, Herbal Gems and Soothing Touch is dedicated to providing the finest products possible to support the health and well-being of our customers.



Our manufacturing facility in Eugene, Oregon

Yogitea.com

**Savor the Journey**

*The Law of Communication: Say it straight, simple and with a smile.  
—Yogi Bhajan*

Discover the benefits of a natural lifestyle with delicious Yogi Tea.

Organic Spice TEa

Organic Spice TEa

Organic Spice TEa

**Test Your Knowledge**

Which of the following is a non-caloric alternative to refined sugar?

Fruit Juice Concentrate

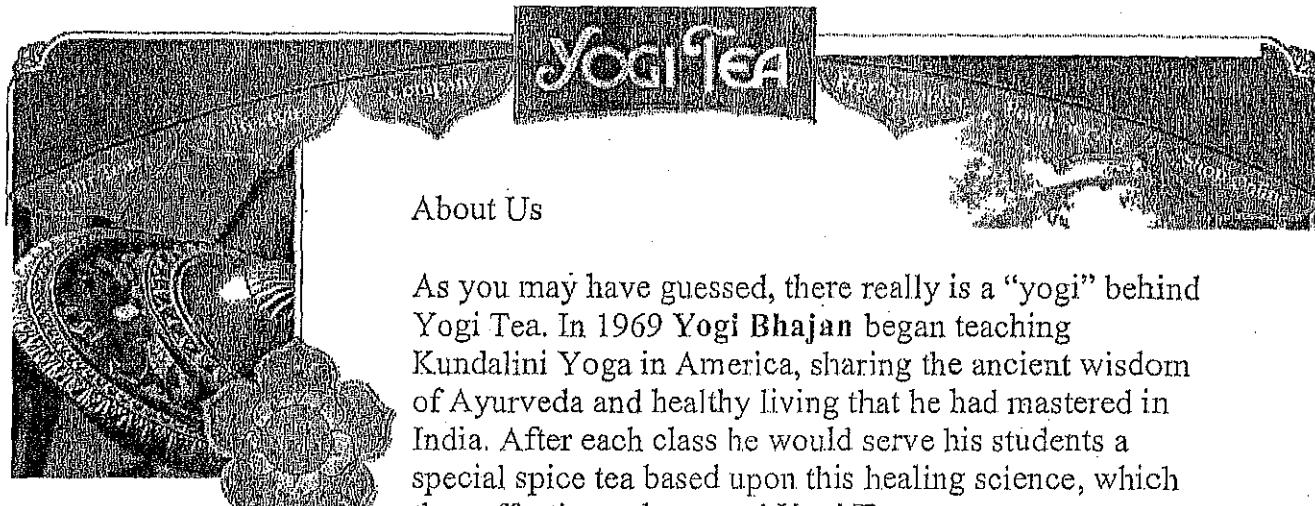
Honey

Stevia

Fructose

Turbinado Sugar

Privacy Policy • Disclaimer • ©2004 Yogi Tea. All Rights Reserved.



## About Us

As you may have guessed, there really is a "yogi" behind Yogi Tea. In 1969 Yogi Bhajan began teaching Kundalini Yoga in America, sharing the ancient wisdom of Ayurveda and healthy living that he had mastered in India. After each class he would serve his students a special spice tea based upon this healing science, which they affectionately named Yogi Tea.

We offer uplifting teas and are committed to the organic way of life.

Soon, Yogi Bhajan's students opened **Golden Temple Vegetarian**

**Restaurants** in the US, Canada, and Europe. The delicious, rich and spicy aroma of Yogi Tea brewing permeated the environment and every customer who enjoyed the tea wanted to make their own cup

of Yogi Tea at home. Through these **Golden Temple** restaurants, the first batches of Yogi Tea were sold to the public. In 1984 this grassroots endeavor blossomed into **The Yogi Tea Company** and Yogi Tea began to appear on Natural Foods Store shelves throughout the country.

Yogi Tea - the purveyor of healing teas made with organic herbs and green tea

Yogi Bhajan, the "yogi" behind Yogi Tea

Yogi Bhajan taught that businesses based on respect for the divinity in all beings could lead to real and lasting change. Developing work environments that focused on the growth of each individual's potential as much as on production of goods and profits would create a radical and meaningful shift in the notion of "work." Under his guidance, small businesses began to take root along with Yogi Tea. Golden Temple (bulk granolas), Peace Cereal (packaged cereals), Wha Guru Chew (candy bars), Herbal Gems (capsulated herb formulas), Sunshine (body care products) and Soothing Touch (professional massage products), were some of the companies founded during

this period.

We carry a full line of herbal teas

#### Yogi Tea's first 6 Exotic Teas

Tea in order to provide the highest quality and best tasting teas we could.

Our teas have continued to evolve, meeting the ever-changing needs of the customer. Today Yogi Tea makes a rich beverage line of 9 Exotic Teas from all over the world that include the original spice formula, now called Classic India Spice. Our line of **Healing Formulas** is comprised of 33 specialized blends to effectively answer a wide range of specific healing needs, with 5 **Woman's Healing Formulas** specially created for female comfort and relief, and 6 **Green Tea Healing Formulas** that offer the antioxidant power of green tea with other effective healing herbs. Our 5 **Green Teas** offer the healthful qualities of green tea in a tasty blend of the finest organic green teas. Finally, a line of 3 **Organic Chai** gives our customers the chance to taste the authentic enchanting flavors of India and the Far East. With more than 50 teas to choose from, Yogi Tea has a tea for every need and every season.

Organic ingredients, Ayurvedic wisdom and modern knowledge are incorporated into every product we develop at our own modern manufacturing facility in Eugene, Oregon. We are committed to applying our yogic lifestyle to our businesses, honoring diversity and the need for individuals to grow in social

In 1991 Yogi Tea introduced the first Healing Formula teas. This line of medicinal teas was designed to address specific health needs using highly specialized herbal formulas created by Yogi Bhajan and his team of herbal experts. That same year, our company made a conscious decision to use organic ingredients in Yogi

Our tea company takes pride in the organic quality herbs we use in our herbal teas

Our manufacturing facility in Eugene, Oregon

and spiritual ways. Yogi Tea along with our sister companies, Golden Temple, Peace Cereal, Wha Guru Chew, Sunshine Spa, Herbal Gems and Soothing Touch is dedicated to providing the finest products possible to support the health and well-being of our customers.

---



### Yogi Tea Philosophy

**Create yogically inspired quality herbal teas that balance and heal.**

**Support the health and future of the planet by using organic ingredients and recycled materials.**

**Share the knowledge with our customers and inspire them to become healthier and happier.**

**Develop a conscious working atmosphere where each individual can develop his or her creative potential in order to enhance the prosperity of the company and achieve personal fulfillment and satisfaction.**



About Us



Organic Care



Golden Temple



Contact Us

Privacy Policy • Disclaimer • ©2004 Yogi Tea. All Rights Reserved.

**Savor the Journey**

Discover the benefits of a natural lifestyle with delicious Yogi Tea.

Seasonal Support

Introduction to Ayurveda

Benefits of Organic Green Tea

**Meditation for Gratitude**

Fill your heart with compassion and gratitude by practicing this simple meditation. Begin by Inhaling deeply through the nose and exhaling completely through the mouth; then, inhale through the mouth and exhale completely through the nose. As you proceed, meditate on the mantra Saat Naam (True Identity).

**Test Your Knowledge**

Which of the following is a non-caloric alternative to refined sugar?

Fruit Juice Concentrate

Honey

Stevia

Fructose

Turbinado Sugar

[Privacy Policy](#) • [Disclaimer](#) • ©2006 Yogi Tea. All Rights Reserved.

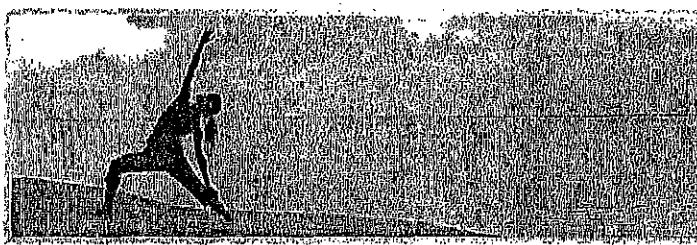
Yogi™ teas and cereals are created with purpose, using masterfully blended ingredients that support your mind, body and spirit. Our philosophy is rooted in Ayurveda, which combines natural therapies with a balanced approach to overall health and well-being. We invite you to experience all that Yogi has to offer and achieve balance and joy in every aspect of your life.

[About Yogi](#)

[Golden Temple](#)

[Yogi Commitment](#)

[Press Room](#)



Yogi™ creates teas and cereals with mood, flavor and purpose. We invite you to explore our teas and cereals and get inspired.

Our story begins in 1969 when Yogi Bhajan, an inspired and inspiring teacher of holistic living, started teaching yoga in America. He shared the wisdom and knowledge of Ayurveda and healthy living that he had mastered in India with his students while serving a specially spiced tea, which they affectionately named "Yogi Tea." The recipe contained five traditional Ayurvedic spices: cardamom seed, cinnamon bark, clove bud, ginger root and black pepper. When blended and brewed, these delicious spices leave you feeling vibrant and alive, while boosting overall well-being. Intrigued by the complex flavor and inherent health benefits of this unique combination of spices, it wasn't long before several of the yogi's students were inspired to brew their own "Yogi Tea."

In 1984 this grassroots endeavor blossomed into the Yogi Tea Company. Packages of the rough, dried spices began to appear in natural foods stores throughout Southern California. As demand increased, the spices were more finely ground, packaged and sealed into individual tea bags. By 1986, Yogi Tea was distributed nationwide in three flavors.

Yogi has continued to expand and evolve our tea offerings to address specific health needs by creating specialized herbal formulas, blended for both flavor and purpose. Today, Yogi has nearly 60 tea blends, many of which are created using the five original Yogi spices.

Yogi's expertise in sensual well-being has inspired our newest offering, Yogi cereals. As with our teas, Yogi cereals are created with purpose and blended to enhance the health of mind, body and spirit, while enlivening your senses with delightful flavors.

Whether you need to jump start the day, recover from physical activity, calm your mind and clarify thoughts, or revive the spirit and reflect, there's a Yogi tea or cereal to meet your specific needs.

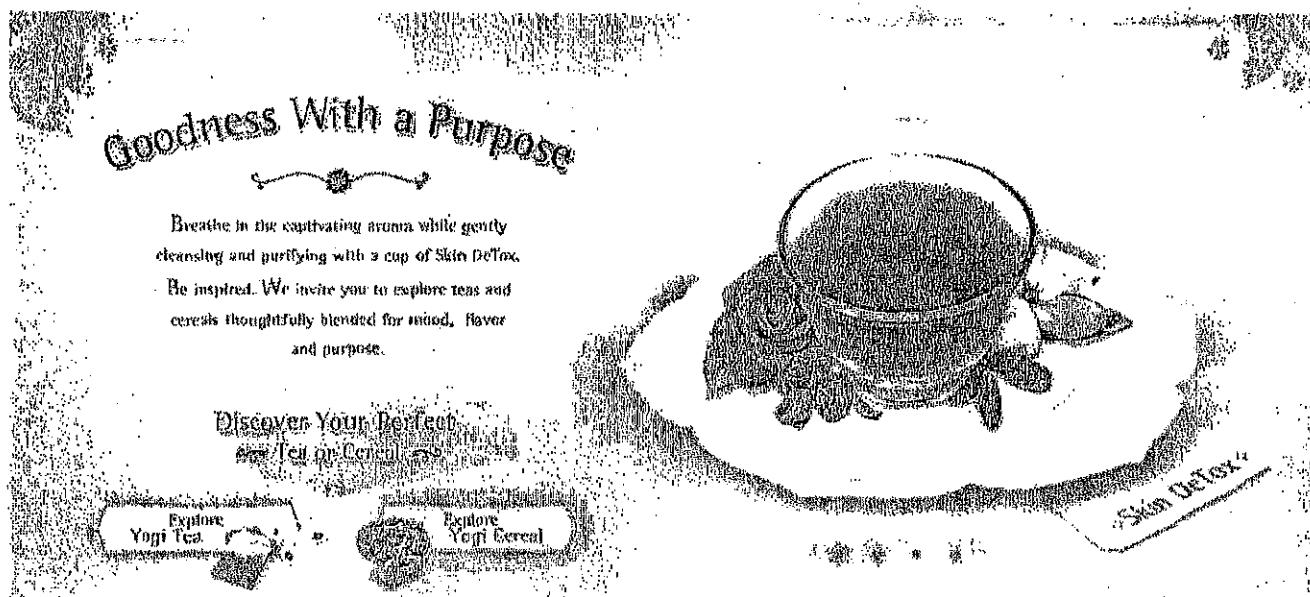
The holistic teachings of Ayurveda and healthy living are the inspiration behind Yogi. These teachings continue to inform how we develop our products, and we honor and reflect them through the Yogi Principles.

### Yogi Principles

- Tasting great is essential, but it isn't enough. If what we make doesn't taste great and leave you feeling great, we won't make it.
- We think before we blend or bake. How will our recipes work with body and mind?
- Health is found in nature. We work with what nature already offers rather than trying to concoct it. We don't have laboratories, we have kitchens.
- Creative combinations can optimize what nature has to offer. Ever added Goji Berry to Ginger? They work together to produce a remarkably fresh and innovative taste... and a remarkable level of energy.
- Whenever possible, we work with wholes, not parts. We don't add vitamin C. We add Indian

Gooseberry, which is naturally rich in vitamin C.

[Store Locator](#) . [Shop Online](#) . [Newsletter Signup](#) . [Contact Us](#)  
Copyright © 2009 Yogi™ . [Privacy Policy](#) . [Disclaimer](#)



[Store Locator](#) . [Shop Online](#) . [Newsletter Signup](#) . [Contact Us](#)  
Copyright © 2009 Yogi™. [Privacy Policy](#) . [Disclaimer](#)



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz Alerts](#) | [News](#) | [Help](#)

## Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Sat Jan 30 04:00:03 EST 2010

[TESS Home](#) [My User](#) [Statistical](#) [Free Form](#) [Proximity](#) [SEARCH LOG](#) [Logout](#) [Help](#) [Feedback](#) [Current](#)  
[New User](#) [Forgot](#) [Prev Doc](#) [Next Doc](#) [Logout](#)

Please logout when you are done to release system resources allocated for you.

List  
At:OR to  
record:Record 9 out of  
79[FILER Status](#)[ASSIGNEE Status](#)[TOP](#)[TAB Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)

**YOGI****Word Mark**

YOGI

**Goods and Services**

IC 030. US 046. G &amp; S: Granola; granola snacks; granola-based snack bars; ready to eat, cereal-derived food bars

**Standard Characters Claimed****Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Serial Number**

77889992

**Filing Date**

December 9, 2009

**Current Filing**

**Basis** 1B  
**Original Filing Basis** 1B  
**Owner** (APPLICANT) Golden Temple of Oregon, LLC LIMITED  
LIABILITY COMPANY OREGON 2545 Prairie Road Eugene  
OREGON 97402  
**Attorney of Record** Parna A. Mehrban  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead Indicator** LIVE

[MESS HOME](#) [NEW MSG](#) [STRUCTURED](#) [Freeform](#) [ECONOMIC](#) [SEARCH LOG](#) [for](#) [HELP](#) [SEARCH](#) [CREATE](#)  
[NEXT MSG](#) [PREV MSG](#) [PREV DOC](#) [NEXT DOC](#) [LAST DOC](#)

[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

## Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Sat Jan 30 04:00:03 EST 2010



[Logout](#) Please logout when you are done to release system resources allocated for you.

List  
At:OR  [Jump](#) to  
record:

### Record 10 out of 71

[Trademark](#) [DESIGN Status](#) [TDR](#) [TIA Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

# YOGI

**Word Mark**

YOGI

**Goods and Services**

IC 030, US 046, G &amp; S: processed cereal-based food to be used as a breakfast food, snack food, or ingredient for making other foods

**Standard Characters Claimed****Mark Drawing Code**

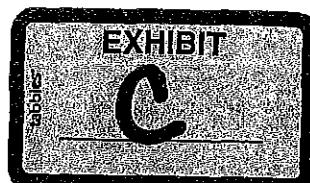
(4) STANDARD CHARACTER MARK

**Serial Number**

77636305

**Filing Date**

December 18, 2008



**Current Filing Basis** 1B

**Original Filing Basis** 1B

**Owner** (APPLICANT) **Golden Temple of Oregon, LLC LIMITED LIABILITY COMPANY OREGON** 2545 Prairie Road Eugene OREGON 97402

**Attorney of Record** Parha A. Mehrbani

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE



[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

**United States Patent and Trademark Office**[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)**Trademarks > Trademark Electronic Search System (TESS)***TESS was last updated on Sat Jan 30 04:00:03 EST 2010*

[Logout](#) Please logout when you are done to release system resources allocated for you.

List  
 Start At:

OR  [Jump](#) to record:

**Record 11 out of 71**

[TARR Status](#)

[ASSIGNEE Status](#)

[ITOR](#)

[TIAF Status](#)

( Use the "Back" button of the Internet Browser to return to TESS)

# YOGI

**Word Mark** YOGI  
**Goods and Services** IC 030, US 046, G & S: Tea and ready-to-drink tea. FIRST USE: 20081226, FIRST USE IN COMMERCE: 20081226

**Standard Characters Claimed**

**Mark Drawing Code** (4) STANDARD CHARACTER MARK

**Serial Number** 77423965

**Filing Date** March 17, 2008

**Current Filing Basis** 1A

**Original Filing** 1B



**Basis**

**Published for Opposition** July 1, 2008

**Registration Number** 3607292

**Registration Date** April 14, 2009

**Owner** (REGISTRANT) Golden Temple of Oregon, LLC LIMITED LIABILITY COMPANY OREGON 2545 Prairie Road Eugene OREGON 97402

**Attorney of Record** Parna A. Mehrbani

**Prior Registrations** 1980514

**Type of Mark** TRADEMARK

**Register** PRINCIPAL

**Live/Dead Indicator** LIVE



[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)



United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

## Trademarks > Trademark Electronic Search System (TESS)

*TESS was last updated on Sat Jan 30 04:00:03 EST 2010*

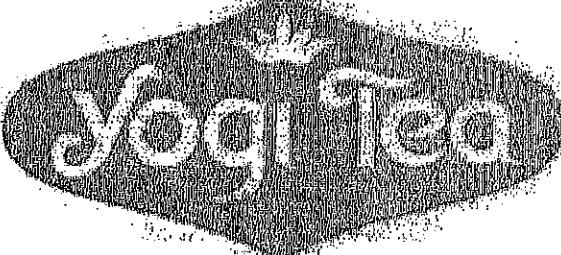


 Please logout when you are done to release system resources allocated for you.

**Start** **List**  
**At:**

OR **Jump** to record:

Record 14 out of  
71



**Word Mark** YOGI TEA  
**Goods and Services** IC 030, US 046. G & S: Tea. FIRST USE: 20070309. FIRST USE IN COMMERCE: 20070409  
**Mark Drawing Code** (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS  
**Design** 05.05.06 - Lotus flower  
**Search Code** 26.07.21 - Diamonds that are completely or partially shaded  
26.07.28 - Diamond shapes (miscellaneous overall shape);  
Miscellaneous designs with overall diamond shape, including letters forming or comprising a diamond



**Trademark** SHAPES-COLORS-2 Design listing or lined for two colors  
**Search** SHAPES-MISC Miscellaneous shaped designs  
**Facility** VEG Plant life such as trees,flowers,fruits,grains,nuts,wreaths, and  
**Classification** leaves  
**Code**  
**Serial** 77282834  
**Number**  
**Filing Date** September 18, 2007  
**Current**  
**Filing Basis** 1A  
**Original**  
**Filing Basis** 1A  
**Published for**  
**Opposition** March 11, 2008  
**Registration**  
**Number** 3435101  
**Registration**  
**Date** May 27, 2008  
**Owner** (REGISTRANT) Golden Temple of Oregon, LLC LTD LIAB CO  
OREGON 2545 Prairie Road Eugene OREGON 97402  
**Attorney of**  
**Record** Michael A. Cohen  
**Prior**  
**Registrations** 1980514  
**Disclaimer** NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TEA"  
APART FROM THE MARK AS SHOWN  
**Description**  
**of Mark** The color(s) brown and white is/are claimed as a feature of the mark.  
The mark consists of the stylized words "YOGI TEA" in the color white,  
with the design of a lotus flower in the color white above the "I" in the  
word "YOGI"; the surrounding background is a gradient of the color  
brown which is curved on the right and left edges and pointed at the top  
and bottom edges.  
**Type of Mark** TRADEMARK  
**Register** PRINCIPAL  
**Live/Dead**  
**Indicator** LIVE







## United States Patent and Trademark Office

[Home](#) | [Site Index](#) | [Search](#) | [FAQ](#) | [Glossary](#) | [Guides](#) | [Contacts](#) | [eBusiness](#) | [eBiz alerts](#) | [News](#) | [Help](#)

## Trademarks &gt; Trademark Electronic Search System (TESS)

TESS was last updated on Wed Feb 3 04:02:09 EST 2010

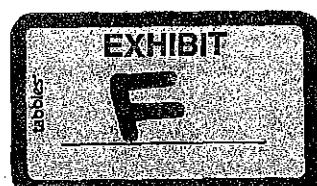
[SEARCH](#) [DRAWINGS](#) [SEARCH DRAWINGS](#) [SEARCH LOGO](#) [SEARCH LOGO](#)[Logout](#) Please logout when you are done to release system resources allocated for you.

## Record 1 out of 1

[SEARCH](#) [DRAWINGS](#) [SEARCH DRAWINGS](#) [SEARCH LOGO](#) [SEARCH LOGO](#) ( Use the "Back" button of the Internet Browser to return to TESS)

## Typed Drawing

Word Mark	YOGI TEA
Goods and Services	IC 030, US 046, G & S; tea, FIRST USE: 19830308, FIRST USE IN COMMERCE: 19830308
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74678588
Filing Date	September 26, 1994
Current Filing Basis	1A
Original Filing Basis	1A
Published for Opposition	March 26, 1996
Registration Number	1980514
Registration Date	June 18, 1996
Owner	(REGISTRANT) Yogi G, Inc. DBA The Yogi Tea Company CORPORATION CALIFORNIA 2445 PRAIRIE ROAD EUGENE OREGON 97402 (LAST LISTED OWNER) Golden Temple of Oregon, Inc. CORPORATION OREGON 2545 Prairie Road Eugene OREGON 97402
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Michael.A. Cohen
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TEA" APART FROM THE MARK AS SHOWN
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20060928.
Renewal	1ST RENEWAL 20060928
Live/Dead Indicator	LIVE

[SEARCH](#) [DRAWINGS](#) [SEARCH DRAWINGS](#) [SEARCH LOGO](#) [SEARCH LOGO](#)[HOME](#) | [SITE INDEX](#) | [SEARCH](#) | [eBUSINESS](#) | [HELP](#) | [PRIVACY POLICY](#)

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge John F. Walter and the assigned discovery Magistrate Judge is Victor B. Kenton.

The case number on all documents filed with the Court should read as follows:

**CV10- 882 JFW (VBKx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

Western Division  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

Southern Division  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

Eastern Division  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Surjit P. Soni (SBN 127419)  
 M. Danton Richardson (SBN 141709)  
 Leo E. Lundberg, Jr. (SBN 125951)  
 THE SONI LAW FIRM  
 35 N. Lake Ave., Suite 720  
 Pasadena, CA 91101      Tel: (626) 683-1199

UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA

BIBIJI INDERJIT KAUR PURI, an individual,  v.  GOLDEN TEMPLE OF OREGON, LLC, an Oregon Limited Liability Corporation; DOES 1 through 10,	PLAINTIFF(S)  DEFENDANT(S).	CASE NUMBER  <i>CV10-882 JFW (VBKx)</i>
		SUMMONS

TO: DEFENDANT(S): GOLDEN TEMPLE OF OREGON, LLC, an Oregon Limited Liability Corporation;  
DOES 1 through 10

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached  complaint  amended complaint  counterclaim  cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Surjit P. Soni, whose address is 35 N. Lake Ave., Suite 720, Pasadena, CA 91101. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: 2/5/10

By: \_\_\_\_\_  
*[Signature]*  
 Deputy Clerk

*(Seal of the Court)*

*[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3).]*

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/> ) BIBIJI INDERJIT KAUR PURI, an individual	DEFENDANTS GOLDEN TEMPLE OF OREGON, LLC, an Oregon Limited Liability Corporation; DOES 1 through 10												
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) THE SONI LAW FIRM 35 N. Lake Ave., Suite 720 Pasadena, CA 91101 Tel: (626) 683-7600	Attorneys (If Known)												
II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) Citizen of This State      PTF      DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1      Incorporated or Principal Place of Business in this State      PTF      DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4 Citizen of Another State      PTF      DEF <input type="checkbox"/> 2 <input type="checkbox"/> 2      Incorporated and Principal Place of Business in Another State      PTF      DEF <input type="checkbox"/> 5 <input type="checkbox"/> 5 Citizen or Subject of a Foreign Country      PTF      DEF <input type="checkbox"/> 3 <input type="checkbox"/> 3      Foreign Nation      PTF      DEF <input type="checkbox"/> 6 <input type="checkbox"/> 6												
IV. ORIGIN (Place an X in one box only.) <input checked="" type="checkbox"/> 1 Original <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge													
V. REQUESTED IN COMPLAINT: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check 'Yes' only if demanded in complaint.) CLASS ACTION under F.R.C.P. 23: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> MONEY DEMANDED IN COMPLAINT: \$ _____													
VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) 15 U.S.C. Section 1051 et seq. - Trademark Infringement; 15 U.S.C. Section 1125(a) - False Designation of Origin; 15 U.S.C. Section 1119 - Determination of Rights													
VII. NATURE OF SUIT (Place an X in one box only.) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; vertical-align: top;"> <b>OTHER STATUTES</b>  <input type="checkbox"/> 400 State Reapportionment  <input type="checkbox"/> 410 Antitrust  <input type="checkbox"/> 430 Banks and Banking  <input type="checkbox"/> 450 Commerce/ICC Rates/etc.  <input type="checkbox"/> 460 Deportation  <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations  <input type="checkbox"/> 480 Consumer Credit  <input type="checkbox"/> 490 Cable/Sat TV  <input type="checkbox"/> 810 Selective Service  <input type="checkbox"/> 850 Securities/Commodities/ Exchange  <input type="checkbox"/> 875 Customer Challenge 12 USC 3410  <input type="checkbox"/> 890 Other Statutory Actions  <input type="checkbox"/> 891 Agricultural Act  <input type="checkbox"/> 892 Economic Stabilization Act  <input type="checkbox"/> 893 Environmental Matters  <input type="checkbox"/> 894 Energy Allocation Act  <input type="checkbox"/> 895 Freedom of Info. Act  <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice  <input type="checkbox"/> 950 Constitutionality of State Statutes                 </td> <td style="width: 15%; vertical-align: top;"> <b>CONTRACTS</b>  <input type="checkbox"/> 110 Insurance  <input type="checkbox"/> 120 Marine  <input type="checkbox"/> 130 Miller Act  <input type="checkbox"/> 140 Negotiable Instrument  <input type="checkbox"/> 150 Recovery of Overpayment &amp; Enforcement of Judgment  <input type="checkbox"/> 151 Medicare Act  <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)  <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits  <input type="checkbox"/> 160 Stockholders' Suits  <input type="checkbox"/> 190 Other Contract  <input type="checkbox"/> 195 Contract Product Liability  <input type="checkbox"/> 196 Franchise                 </td> <td style="width: 15%; vertical-align: top;"> <b>TORTS - PERSONAL INJURY</b>  <input type="checkbox"/> 310 Airplane  <input type="checkbox"/> 315 Airplane Product Liability  <input type="checkbox"/> 320 Assault, Libel &amp; Slander  <input type="checkbox"/> 330 Fed. Employers' Liability  <input type="checkbox"/> 340 Marine  <input type="checkbox"/> 345 Marine Product Liability  <input type="checkbox"/> 350 Motor Vehicle  <input type="checkbox"/> 355 Motor Vehicle Product Liability  <input type="checkbox"/> 360 Other Personal Injury  <input type="checkbox"/> 362 Personal Injury-Med Malpractice  <input type="checkbox"/> 365 Personal Injury-Product Liability  <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability                 </td> <td style="width: 15%; vertical-align: top;"> <b>TORTS - PROPERTY</b>  <input type="checkbox"/> 370 Other Fraud  <input type="checkbox"/> 371 Truth in Lending  <input type="checkbox"/> 380 Other Personal Property Damage  <input type="checkbox"/> 385 Property Damage  <input type="checkbox"/> 390 Product Liability  <input type="checkbox"/> 422 Appeal 28 USC 158  <input type="checkbox"/> 423 Withdrawal 28 USC 157                 </td> <td style="width: 15%; vertical-align: top;"> <b>PRISONER PETITIONS</b>  <input type="checkbox"/> 510 Motions to Vacate Sentence  <input type="checkbox"/> 520 Habeas Corpus  <input type="checkbox"/> 530 General  <input type="checkbox"/> 535 Death Penalty  <input type="checkbox"/> 540 Mandamus/Other  <input type="checkbox"/> 550 Civil Rights  <input type="checkbox"/> 555 Prison Condition                 </td> <td style="width: 15%; vertical-align: top;"> <b>LABOR</b>  <input type="checkbox"/> 710 Fair Labor Standards Act  <input type="checkbox"/> 720 Labor/Mgmt. Relations  <input type="checkbox"/> 730 Labor/Mgmt. Reporting &amp; Disclosure Act  <input type="checkbox"/> 740 Railway Labor Act  <input type="checkbox"/> 790 Other Labor Litigation  <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act                 </td> </tr> <tr> <td style="vertical-align: top;"> <b>REAL PROPERTY</b>  <input type="checkbox"/> 210 Land Condemnation  <input type="checkbox"/> 220 Foreclosure  <input type="checkbox"/> 230 Rent Lease &amp; Ejectment  <input type="checkbox"/> 240 Torts to Land  <input type="checkbox"/> 245 Tort Product Liability  <input type="checkbox"/> 290 All Other Real Property                 </td> <td style="vertical-align: top;"> <b>IMMIGRATION</b>  <input type="checkbox"/> 462 Naturalization Application  <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee  <input type="checkbox"/> 465 Other Immigration Actions                 </td> <td style="vertical-align: top;"> <b>PROPERTY RIGHTS</b>  <input type="checkbox"/> 441 Voting  <input type="checkbox"/> 442 Employment  <input type="checkbox"/> 443 Housing/Accommodations  <input type="checkbox"/> 444 Welfare  <input type="checkbox"/> 445 American with Disabilities - Employment  <input type="checkbox"/> 446 American with Disabilities - Other  <input type="checkbox"/> 440 Other Civil Rights                 </td> <td style="vertical-align: top;"> <b>SOCIAL SECURITY</b>  <input type="checkbox"/> 610 Agriculture  <input type="checkbox"/> 620 Other Food &amp; Drug  <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881  <input type="checkbox"/> 630 Liquor Laws  <input type="checkbox"/> 640 R.R. &amp; Truck  <input type="checkbox"/> 650 Airline Regs  <input type="checkbox"/> 660 Occupational Safety /Health                 </td> <td style="vertical-align: top;"> <b>FEDERAL TAX SUITS</b>  <input type="checkbox"/> 820 Copyrights  <input type="checkbox"/> 830 Patent  <input checked="" type="checkbox"/> 840 Trademark  <input type="checkbox"/> 861 HIA (1395ff)  <input type="checkbox"/> 862 Black Lung (923)  <input type="checkbox"/> 863 DIWC/DIWW (405(g))  <input type="checkbox"/> 864 SSID Title XVI  <input type="checkbox"/> 865 RSI (405(g))                 </td> <td style="vertical-align: top;"> <b>OTHER</b>  <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)  <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609                 </td> </tr> </table>		<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACTS</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>TORTS - PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<b>TORTS - PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage <input type="checkbox"/> 390 Product Liability <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 520 Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>PROPERTY RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>SOCIAL SECURITY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health	<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<b>OTHER</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACTS</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>TORTS - PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<b>TORTS - PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage <input type="checkbox"/> 390 Product Liability <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 520 Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act								
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>PROPERTY RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>SOCIAL SECURITY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health	<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input checked="" type="checkbox"/> 840 Trademark <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<b>OTHER</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609								

FOR OFFICE USE ONLY: Case Number: CV-10-880

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed?  No  Yes  
 If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case?  No  Yes  
 If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

(Check all boxes that apply)

- A. Arise from the same or closely related transactions, happenings, or events; or
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.  
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.  
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Oregon

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.  
 Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

**X. SIGNATURE OF ATTORNEY (OR PRO PER):** \_\_\_\_\_

Date

*[Signature]* 2/5/10

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSJ	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))